(82)

# HIGH COURT OF CHHATTISGARH AT BILASPUR

## WRIT PETITION (C) No. 91 of 2007

**PETITIONER** : Balaji Mining, Through – its Proprietor Shri Dhruw Agrawal R/o, Baradwar, District Janjgir-Champa (C.G.)

**VERSUS**

**RESPONDENTS** : 1. State of Chhattisgarh, Through – Secretary, Department of Mineral Resources D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
2. The Collector, District Janjgir-Champa (C.G.)
3. Arvind Soni, R/o. Village Portha District Janjgir-Champa (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

**SB: Hon'ble Shri Satish K. Agnihotri, J.**

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Present: Shri P.S.Koshy, Advocate for the petitioner.
Shri Sumesh Bajaj, Government Advocate for the State/respondent 1 and 2.
Shri Sanjay K. Agrawal, Advocate for the respondent No. 3.

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**ORDER**

(Passed on 11th day of October, 2007)

1. Learned counsel appearing for the petitioner does not want to press this petition as the petitioner wants to take recourse to alternative statutory remedy that may be available to him under the provisions of Section 30 of the Mines and Minerals (Development and Regulation) Act, 1957 to approach the Central Government.

2. Learned counsel further submits that the petitioner be protected by an interim order till 25th of October, in the interest of justice, since the interim relief was granted by this Court vide order dated 28.02.2007.

3. The petition is accordingly dismissed as not pressed with the above stated liberty. However, the interim order dated 28.02.2007 shall continue till 25.10.2007. If the petitioner makes an application within a period of one week, the period from 08.01.2007 to 18.10.2007 shall be considered as explained in delay. The said period, when the matter was pending consideration in this Court, shall not be treated as delay.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

Amit